

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

SUIT No.1382 OF 1981.

Atik Corporation.

Plaintiff.

Vs.

Deccan Talisman & Ors.

Defendants.

Ms. Mizashi i/b Shah & Sangvi for Plaintiff.

Mr. Avinash Joshi i/b Mulla & Mulla for
defendants.

CORAM: D.G. KARNIK,J.

DATED: 23RD JANUARY, 2007.

P.C.:-

1. By order dated 26th September, 2003 the Court had adjourned the matter at the request of the plaintiff subject to payment of cost of Rs. 7,000/- payable before the next date. The payment of costs was made a condition precedent. Till today cost has not been paid. The plaintiff is also absent when called. The learned counsel for the plaintiff is unable to point out any sufficient cause explaining absence of the plaintiff. In the circumstances, the suit is dismissed under Order 17 Rule 2 read with Order 9 Rule 8 of the Code of Civil Procedure.

[D.G.KARNIK, J]